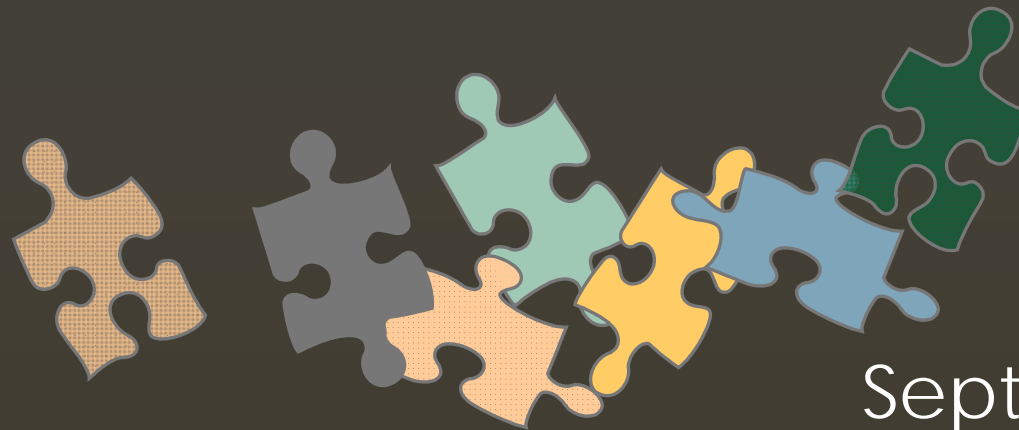


Department of Labor & Industry



Unemployment Insurance Benefits



September 2008

The Base Period....

- Benefits are figured based on what is referred to as the "Base Period".
- This is the first four of the last five completed calendar quarters.
 - ❖ **For example:** If the claimant files in January 2008– any and all employment from October 2006 through September 2007 make up the monetary eligibility.



Types of Accounts

- There are three basic types of accounts
 - Experience Rated Accounts also referred to as a “regular” account
 - Governmental Accounts
 - Reimbursable Accounts



Experience Rated Employers....

- Charges may be relieved for Experience Rated Employers if
 - ❖ The claimant quit for a personal reason or;
 - ❖ The claimant was discharged for misconduct *as defined by law* or;
 - ❖ The claimant is still working with 10% or less reduction of hours or wages or;
 - ❖ The claimant is allowed benefits under the Domestic Violence Law, MCA 39-51-2111



Additional Facts About Experience Rated Employers...

- Charges may be relieved if the claimant:
 - Is being paid extended benefits under either national or state indicators or;
 - Is allowed benefits while in an approved training program or;
 - Is laid off as a result of the return to work of a permanent employee who was called to military service.



Governmental Accounts...

- Defined in MCA 39-51-1103
- State Agencies
- County Agencies
- Municipalities
- Schools



Governmental Account Facts...

- Charges are only relieved if:
 - ❖ the claimant is still working with a reduction of 10% or less in hours or earnings at the time the claim is filed. (MCA 39-51-1212(8))



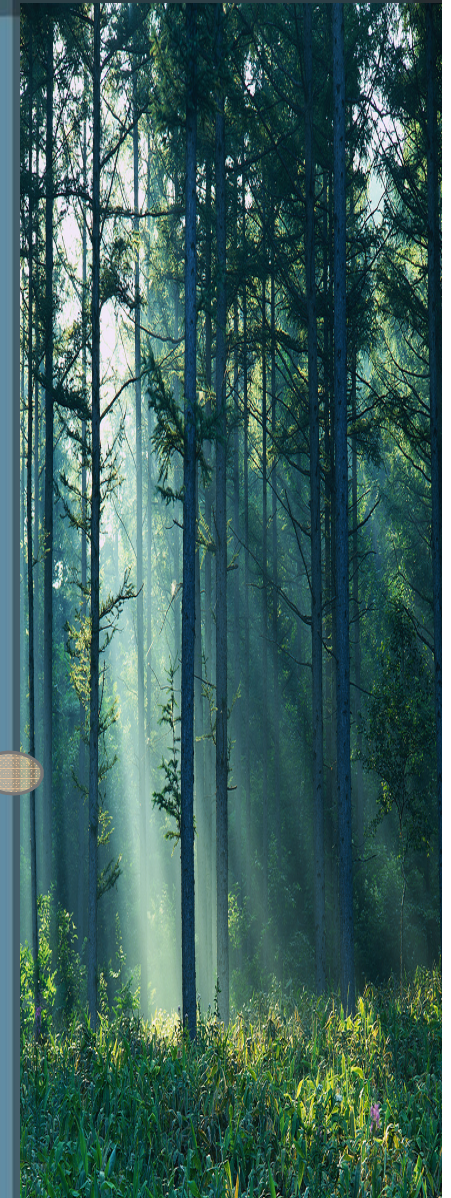
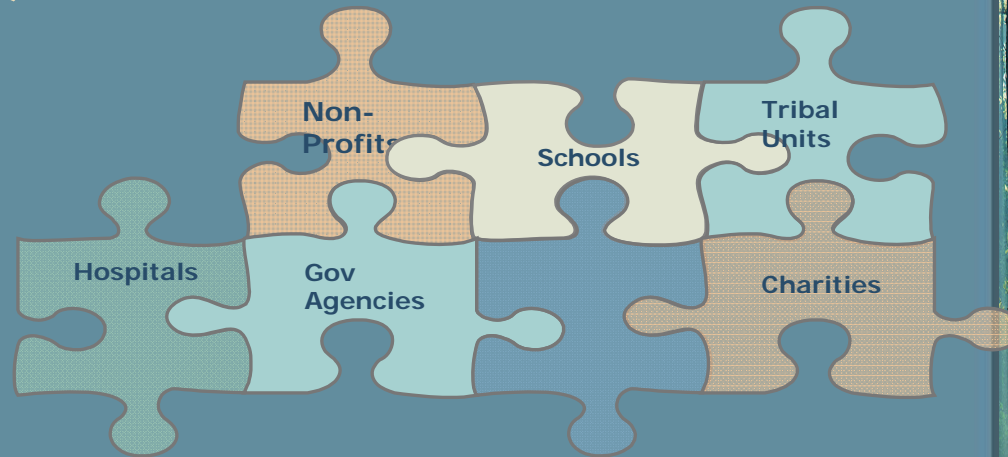
Facts about Governmental Accounts

- Governmental employers pay payroll taxes however, it is much less than experience rating employers
- The rates for governmental employers are not affected by the charges against their individual account
 - Their rates are adjusted along with governmental accounts as a group
- Quarterly statements are sent out and each individual account is charged their share of benefits paid.
- Governmental employers can elect to become reimbursable or experience rated.



Reimbursable Accounts

- Defined in MCA 39-51-1103
- Non-profit Organizations (Defined by 501(c)(3) Internal Rev Code)
- Schools
- Hospitals
- Charities
- Gov. Agencies
- Tribal Units



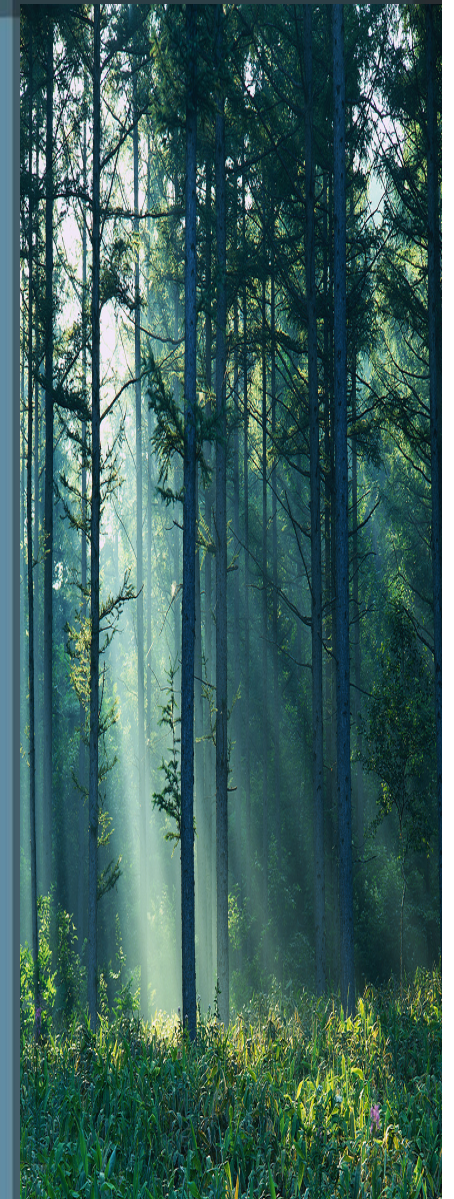
Facts About Reimbursable Accounts

- Except for a small administrative fund tax, they do not pay payroll taxes.
- They are charged dollar for dollar for their portion of the benefits the claimant receives.
 - Monthly statements are sent out and these accounts can be paid monthly or quarterly
- Reimbursable employers can elect to become experience rated employers



More Reimbursable Account Information...

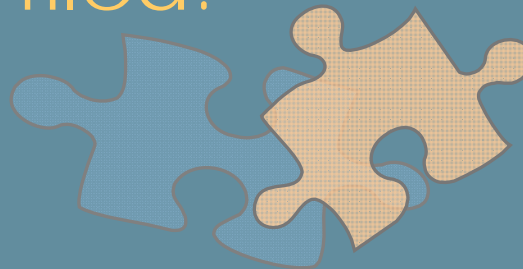
The only time a reimbursable account is relieved of charges is when there is a reduction of 10% or less in hours or earnings *at the time the claim is filed* (MCA 39-51-1125(5))



Chargeable Employers

“The Claim Effective Date Drives Charging”

The chargeability of an employer's account is determined by the employment situation at the time the claim is filed.



Proportional Charging....

- Employers are charged based on the percentage of wages paid as compared to the total wages paid by all employers in the claimant's base period.
 - ❖ If your company paid 78% of the claimant's base period wages, you would potentially be chargeable for 78% of the paid benefits.



The 240 Series Notice.....

- There are four different types of 240 Notices that are sent to employers:
 - 241 Notice - sent to non-base period employers, governmental or reimbursable employers who are also the last or 6 week employers.
 - 242 Notice – sent to base period employers only.



The 240 Series Notice.....

- **243 Notice** - the last or 6-week base period employer and the claimant indicated that he/she are either still working or laid off.
- **244 Notice** – last or 6-week base period employer and the separation is due to a quit or discharge.



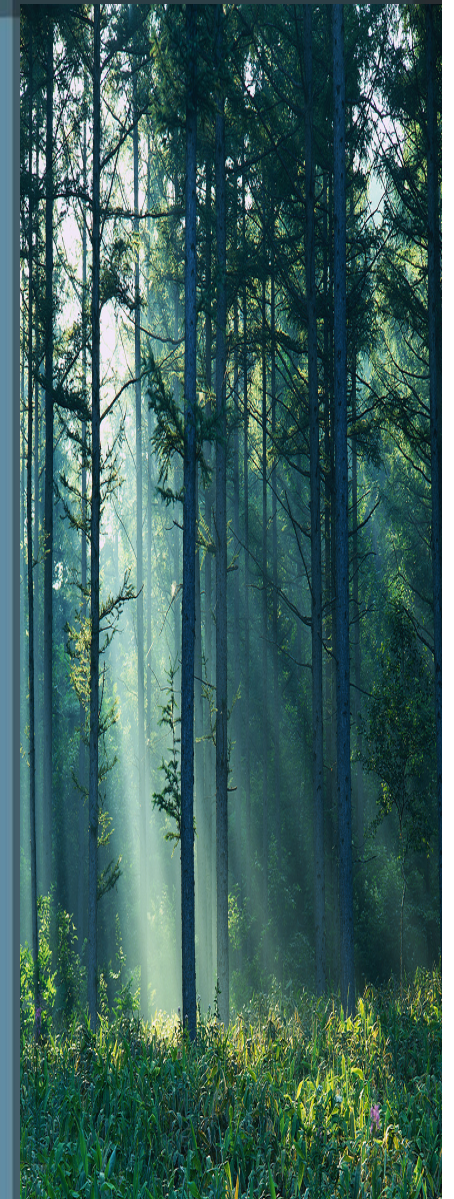
When an employee is discharged.....

- To avoid charges to their experience rated account, the employer has the burden to present proof the claimant was discharged for misconduct.



Help Insure a Correct Decision

- Have a policy manual
- Make employees aware of policies
- Issue written warnings when applicable, ensure the employee is aware of the warnings and understands their position may be terminated.
- Give employees an opportunity to correct and improve.



Job Attached

- Job Attached refers to claimants filing for benefits who have an estimated “return to work” date with an employer for 30 or more hours a week. **The employer has 28 days to certify with the department that the claimant is to be job-attached to their business.**
 - ❖ If the employer does not confirm that the claimant is job-attached, the claimant will be required to register with Workforce Services and make a weekly job search.



Union-Attached...

- Union-attached is similar to job-attached however, the claimant must be a member in good standing with a union that maintains a hiring hall.
 - ❖ The union must confirm within 28 days that the claimant is on the out of work list and in good standing with the union. If they do not confirm this, the claimant will be required to register with Workforce Services and make a weekly job search.



Job/Union Attached Employees

- Job/Union attachment only relieves the employee of registering for work and searching for work. The employee still must be able and available to accept work.
- In the event an attached employee does not return when recalled, the situation is considered a job-refusal and is investigated as to whether it is suitable for the claimant or if the claimant had good cause to refuse.



Programs In Place To Detect Fraud

- Claims Investigations
- Tips
- Cross-matches (to name a few)
 - ❖ New Hire Report
 - ❖ Workers Comp
 - ❖ Wage Cross Match
 - ❖ University Cross Match



Providing Tip Information to Unemployment Insurance

Helena Telephone Center
(406) 444-2545

Billings Telephone Center
(406) 247-1000

Fraud Unit

Robin Vander Voort (406) 444-2937

Karen Conway (406) 444-1765

